

303 Rec'd PCT/PTO 25 OCT 2001 #3

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Murali Nayudu et al  
 Serial No. : 09/890,306  
 Filed : July 27, 2001  
 Title : A METHOD OF CONTROLLING FUNGAL PATHOGENS, AND AGENTS USEFUL FOR SAME

**BOX PCT**

Commissioner for Patents  
 Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371 mailed October 2, 2001, Applicant as a large entity submits herewith the following:

- ☒ Payment of the additional/multiple dependent claims fees of \$36;
- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration.
- ☒ A check in the total amount of \$166 is attached.
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 10-25-01

Y. Rocky Tsao  
 Y. Rocky Tsao  
 Reg. No. 34,053

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 20333742.doc

01/30/2002 LLANDRA 00000003 05090306

01 FC:154 130.00 OP  
 02 FC:966 36.00 OP

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Express Mail Label No. EL298428335US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit 10-25-01  
 Signature Henry Jenkins  
 Typed or Printed Name of Person Signing Certificate Henry Jenkins

U.S. APPLICATION NUMBER NO.			FIRST NAMED APPLICANT			ATTY. DOCKET NO.		
09/890,306			Murali Nayudu			13377-002001		

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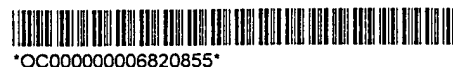
**RECEIVED**

OCT 05 2001

**FISH & RICHARDSON, P.C.  
BOSTON OFFICE**

INTERNATIONAL APPLICATION NO.	
PCT/AU00/00046	
LA FILING DATE	PRIORITY DATE
01/28/2000	01/29/1999

**CONFIRMATION NO. 8939  
371 FORMALITIES LETTER**



\*OC000000006820855\*

Date Mailed: 10/02/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

Docketed By	
Action Code	Missing Requirements
Base Date	10-2-01
Due Date	12-2-01
Deadline	4-2-02
Initial	JMG

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

Docketed By	
Due Date	
Deadline	

- Additional claim fees of **\$36** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$166** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$36**
  - **\$36** for **52** total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

VONDA M WALLACE

Telephone: (703) 305-3736

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/890,306	PCT/AU00/00046	13377-002001